

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of SINGH, Parashu Ram, *et al.*
Serial No.:
Filing Date:
Title: Topical Urea Composition
Art Unit:
Examiner:
Atty's Docket No.: 50586/00024



The Commissioner of Patents and Trademarks
Washington, D.C. 20331
U.S.A.

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with 37 C.F.R. 1.56, the applicant wishes to call the attention of the Examiner to the references contained in an Information Disclosure Statement by Applicant (Substitute for form 1449A/PTO) attached herewith. Copies of these references are enclosed in accordance with 37 CFR 1.98.

This Information Disclosure Statement is being filed within three months of the filing date of this application, and is therefore deemed timely under 37 CFR 1.97(b)(1).

In the event that the enclosed Information Disclosure Statement is not received before mailing of an Office action on the merits, Applicant requests that the Office deduct the fee set forth in 37 C.F.R. § 1.17(p) from Account No. 02-2553 and that the enclosed references be considered by the Examiner.

According to the terms of 37 CFR 1.97 (g) and (h), this Information Disclosure Statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

Submitted as part of the IDS is the ISR prepared by the European Patent Office on the international PCT application from which this application claims priority. The documents of the ISR are also included with the IDS as citation Nos. L6, M2-M9, and N15-N18. The relevance of each of the ISR documents to the claims of parent International Patent Application No. PCT/CA 00/01031 as filed, as considered by the EPO, is indicated in the ISR. (Applicant notes that DATABASE CHEMICAL ABSTRACTS, abstract 102: 12 207 appears twice in the ISR and only one copy is enclosed herewith.)

The web page printed out on February 22, 2002 (citation N3) includes a product description of NightTime Foot Renewal Cream available from FootSmart. The

description on the product label of NightTime Heel Treatment Cream (citation N4) and on the Web page indicate that each of these products includes Penamide, alpha hydroxy (lactic) acid, vitamin A, vitamin E, and pro-vitamin B. The product label also indicates that the cream contains 20% penamide. It is applicant's understanding that "Penamide" is another name used in the industry for urea, but this has not been confirmed by chemical analysis. The product label includes a notice "Copyright 1997, Benchmark Brands, Inc." and the statement the notice "Made and Printed in U.S.A." The product was purchased in the United States in the year 2001.

The foregoing Information Disclosure Statement is based upon information contained in the undersigned agent's file of this application as of the filing date of this statement and is inclusive of the best information known to the undersigned at the date. Prompt consideration of this Information Disclosure Statement and the references by the Examiner is requested.

Should any Patent Office Official want to telephone, the call should be made to John C. Hunt (Registration No. 36,424) at (416) 863-4344.

Yours very truly,



John C. Hunt
Registration No. 36,424

March 4, 2002
Date

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